

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF NEW MEXICO

STATE OF NEW MEXICO <i>ex rel.</i> )	
State Engineer, <i>et al.</i> , )	
) )	
) Plaintiffs, )	69cv07941-BB-ACE
)                          ) )	
) vs. )	RIO CHAMA ADJUDICATION
)                          ) )	
ROMAN ARAGON, <i>et al.</i> , )	Canjilon Creek, Section 3
)                          ) )	
) Defendants. )	
)                          ) )	

**MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and respectfully requests the Court to join as additional parties the persons named below and order them to answer the State’s Complaint in this action as required in any civil action in the United State District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Rubina V. Vailpando	CHCJ-006-0003A	P.O. Box 503 Canjilon, NM 87515
Norman Vigil	CHCJ-006-0003B	7312 Calle Montana, NE Albuquerque, NM 87113
Wayne A. Vigil	CHCJ-006-0003C	P.O. Box 454 Canjilon, NM 87515
Theodore C. Lobato	CHCJ-006-0003D	P.O. Box 454 Canjilon, NM 87515
Bernice Martinez	CHCJ-006-0003E	P.O. Box 507 Canjilon, NM 87515

Eraldo Martinez

CHCJ-006-0003E

P.O. Box 507  
Canjilon, NM 87515

These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Section 3 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within Section 3 of the Rio Chama Stream System.

Dated: November 9, 2006

Respectfully submitted,

/s/ Chris Lindeen  
L. Christopher Lindeen  
Special Assistant Attorney General  
New Mexico Office of the State Engineer  
P.O. Box 25102  
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(505) 827-6150

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing pleading was transmitted by ACE filing to the following this 9<sup>th</sup> day of November 2006.

/s/ Chris Lindeen  
L. Christopher Lindeen

Special Master Vickie L. Gabin  
USDC-DCNM  
P.O. Box 2384  
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